

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

JUXTACOMM TECHNOLOGIES, INC.

PLAINTIFF,

V.

- (1) ASCENTIAL SOFTWARE CORPORATION,
- (2) BUSINESS OBJECTS SA,
- (3) BUSINESS OBJECTS AMERICAS,
- (4) INTERNATIONAL BUSINESS MACHINES CORPORATION,
- (5) INFORMATICA CORPORATION and
- (6) MICROSOFT CORPORATION

DEFENDANTS.

[illegible]

Civil Action No. 2:07-CV-00359-LED

MOTION TO WITHDRAW OPPOSITION (DOCKET. NO. 444)
TO PLAINTIFF'S MOTION TO AMEND CONTENTIONS (DOCKET NO. 403)

Defendant Informatica Corporation (“Informatica”) files this Motion to Withdraw its *Response in Opposition to Plaintiff’s Motion for Leave to Amend Infringement Contentions* (Docket No. 444). Informatica and Plaintiff JuxtaComm Technologies, Inc. have reached an amicable resolution of all claims between them in the underlying lawsuit and will seek dismissal of those claims.

WHEREFORE, Informatica respectfully requests that its Opposition be withdrawn and that it be granted such other and further relief to which it may be entitled.

DATED: September 2, 2009

FENWICK & WEST

/s/ Ryan Tyz
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**ATTORNEYS FOR DEFENDANT
INFORMATICA CORPORATION**

CERTIFICATE OF CONFERENCE

Counsel for defendant Informatica certifies that Counsel for Plaintiff consented to this motion.

/s/ Ryan Tyz
Ryan Tyz

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this Motion was served on all counsel who are deemed to have consented to electronic service per Local Rule CV-5(b)(1) on September 2, 2009.

/s/ Ryan Tyz
RYAN TYZ